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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC et al., Case
No. 3:20-cv-05671-JD

*In re Google Play Consumer Antitrust
Litigation*, Case No. 3:20-cv-05761-JD

*In re Google Play Developer Antitrust
Litigation*, Case No. 3:20-cv-05792-JD

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Case No. 3:21-md-02981-JD

**NOTICE OF OMNIBUS MOTION TO
DISMISS**

Date: TBD
Time: TBD
Courtroom: 11, 19th Floor
Judge: Hon. James Donato

Pursuant to the Court's Minute Entry dated April 1, 2021 (MDL Dkt. No. 18), and in accordance with the parties' Joint Case Management Statements filed on February 26, 2021 and March 25, 2021 (MDL Dkt. Nos. 8 and 11), Defendants hereby re-file their Rule 12(b)(6) motion to dismiss and the related documents, which were originally filed as Dkt. No. 91 in *Epic Games Inc. v. Google LLC et al.*, Case No. 3:20-cv-05671-JD ("Epic Action") and Dkt. No. 71 in *In re Google Play Developer Antitrust Litigation*, Case No. 3:20-cv-05792-JD ("Developer Action").

These documents include:

- Defendants' Notice of Motion and Motion to Dismiss Epic Games, Inc.'s Complaint and Developers' First Consolidated Class Action Complaint, Supporting Memorandum of Points and Authorities on Common Issues (Dkt. No. 91 in the Epic Action; Dkt. No. 71 in the Developer Action) (the "Omnibus Motion");
- Separate Memorandum of Points and Authorities Re: Defendants' Motion to Dismiss Developers' Claim for Damages (Dkt. No. 91-1 in the Epic Action; Dkt. No. 71-1 in the Developer Action);
- Defendants' Request for Judicial Notice in Support of Defendants' Motion to Dismiss Epic Games, Inc.'s Complaint and Developers' First Consolidated Class Action Complaint (Dkt. No. 91-2 in the Epic Action; Dkt. No. 71-2 in the Developer Action);
- Declaration of Brian C. Rocca in Support of Defendants' Motion to Dismiss and Request for Judicial Notice (Dkt. No. 91-3 in the Epic Action; Dkt. No. 71-3 in the Developer Action); and
- [Proposed] Order Granting Defendants' Motion to Dismiss and Request for Judicial Notice (Dkt. No. 91-4 in the Epic Action; Dkt. No. 71-4 in the Developer Action).

As agreed to by all parties, the Omnibus Motion shall be deemed to have been filed with respect to all Plaintiffs in the MDL action. *See* MDL Dkt. Nos. 8 at 1-2 and 11 at 2-3. The motions shall be scheduled for oral argument on a date to be set by future Court order.

Dated: April 7, 2021

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Brian C. Rocca

Brian C. Rocca
Attorneys for Defendants